

Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 IO-13 ISO-00 NEAE-00 ERDA-05 AID-05
CEA-01 CIAE-00 COME-00 EPG-02 EB-07 FEAE-00
FPC-01 H-01 INR-07 INT-05 L-03 NSAE-00 NSC-05
OMB-01 PM-04 OES-07 SP-02 SS-15 STR-04 TRSE-00
ACDA-07 NSCE-00 SSO-00 USIE-00 INRE-00 DLOS-09
ERDE-00 PA-01 PRS-01 /129 W
-----131706Z 050860 /50

O P 131533Z JUN 77
FM AMEMBASSY TUNIS
TO SECSTATE WASHDC IMMEDIATE 7108
INFO AMEMBASSY TRIPOLI IMMEDIATE
AMEMBASSY ALGIERS PRIORITY
AMEMBASSY CAIRO PRIORITY
AMEMBASSY THE HAGUE PRIORITY
AMEMBASSY LONDON PRIORITY
AMEMBASSY PARIS
AMEMBASSY RABAT PRIORITY
AMEMBASSY ROME PRIORITY
AMEMBASSY VALLETTA PRIORITY
USMISSION USUN NEW YORK PRIORITY
CINCUSNAVEUR
EUCOM
COMSIXTHFLT
USDOCOSOUTH NAPLES
SECDEF WASHDC
CTF SIX SEVEN
CTF SIX NINE
CTF SIX ZERO
FOSIF ROTA SPAIN

C O N F I T L T T P L T I A L SECTION 1 OF 2 TUNIS 4145

CINCUSNAVEUR AND EUCOME FOR POLADS; USDOCOSOUTH PASS
CINCOSOUTH FOR POLAD

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E.O. 11652: GDS
TAGS: PFOR PLOS ENRG TS LYX
SUBJECT: TUNISIAN-LIBYAN CONTINENTAL SHELF DISPUTE:
ROUND-UP WITH FONMIN CHATTY

REF: TUNIS 4131 (DTG131053Z JUN 77) (NOTAL)

1. SUMMARY: TUNISIAN FOREIGN MINISTER HABIB CHATTY RECEIVED ME AT NOON TODAY AT HIS CARTHAGE HOME FOR AN EXCHANGE OF VIEWS AND ASSESSMENTS ON THE OUTCOME OF THE RECENTLY CONCLUDED TUNISIAN-LIBYAN CONTINENTAL SHELF DISPUTE. UNDER TERMS OF THE AGREEMENT REACHED THE TWO PARTIES BOUND THEMSELVES TO ACCEPT THE JUDGMENT OF THE ICJ; PROVIDED FOR REVIEW BY THE ICJ OF ANY POINTS IN DISPUTE WHEN TUNISIANS AND LIBYANS SET ABOUT ACTUAL DELIMITATION THEMSELVES; AGREED TO ALL "J.W. BATES/ TO CONTINUE DRILLING NOW UNDERWAY UNTIL OIL IS STRUCK OR HOLE IS FOUND TO BE DRY, BUT AGREED THAT NO FURTHER EXPLORATION NOR EXPLOITATION WOULD BE PERMITTED IN DISPUTED ZONE UNTIL ICJ RULING IS IMPLEMENTED. CHATTY WAS WARM IN HIS PRAISE OF HELPFUL AND USEFUL ROLE PLAYED BY U.S. THROUGHOUT. END SUMMARY.

2. FONMIN CHATTY APOLOGIZED FOR NOT HAVING BEEN ABLE TO SEE ME SOONER, BUT STATED HE FELT GOT HAD ARRANGED TO KEEP WASHINGTON AS WELL INFORMED AS POSSIBLE DURING RECENT CONTINENTAL SHELF NEGOTIATIONS; HE HIMSELF HAD BEEN TIED UP WITH NEGOTIATING TEAM AND RIADH UNTIL LATE JUNE 11.

3. I TOLD CHATTY THAT, WHILE WE WERE GENERALLY AWARE OF THE OUTCOME OF THE RECENT NEGOTIATIONS, WASHINGTON WOULD APPRECIATE AS MUCH AS I MYSELF, SOME PRECISION REGARDING IMPORTANT ASPECTS OF THE NEGOTIATIONS. I SAID THAT BASICALLY IT SEEMED GOT HAD ACHIEVED ITS GOAL OF A PEACEFUL RESOLUTION OF THE LIBYAN DISPUTE AND VIOLENCE HAD BEEN AVOIDED. FOR THESE RESULTS I EXTENDED TO HIM MY CONGRATULATIONS, ADDING THAT I HOPED HE WAS CONFIDENTIAL

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GENERALLY SATISFIED WITH THE OUTCOME. CHATTY PROFESSED TO BE REASONABLY SATISFIED, ALTHOUGH HE QUICKLY ADDED HE HAD NO ILLUSIONS ABOUT HOW FIRMLY THE CURRENT ARRANGEMENTS WOULD STICK IN THE LONG RUN WITH QADHAFI.

4. AT MY REQUEST HE SUMMARIZED THE STILL UNPUBLISHED PROVISIONS OF THE "COMPROMIS". IN THE TEXT OF THE COMPROMIS, FOREIGN MINISTER SAID, BOTH PARTIES ENGAGE THEMSELVES TO ACCEPT AN ICJ DECISION AS BINDING, THE ICJ WILL BE ASKED TO PRESCRIBE ONLY THE PRICIPLES BY WHICH THE CONTINENTAL SHELF BOUNDARY SHOULD BE DELIMITED; EXPERTS FROM BOTH SIDES WILL THEN ATTEMPT A DELIMITATION BASED UPON AN ICJ DECISION; WHEN AND IF DIFFICULTIES ARE ENCOUNTERED IN THE PROCESS OF DELIMITATION, PROVISION IS MADE FOR FURTHER RECOURSE TO THE ICJ FOR CLARIFICATION.

5. I ASKED CHATTY WHETHER REPORTS WE HAD HEARD CONCERNING THE NECESSITY FOR RATIFICATION OF THE COMPROMIS BY BOTH SIDES WERE TRUE. HE REPLIED IN THE AFFIRMATIVE, ADDING THAT LIBYAN RATIFICATION

CANNOT OCCUR UNTIL DECEMBER AT EARLIEST, WHEN, UNDER NEW CONSTITUTION, RATIFICATION MUST BE OBTAINED FROM "A PEOPLE'S CONGRESS". GOT RATIFICATION, SAID FONMIN, PRESENTS NO PROBLEM AND NEED ONLY BE ACTED UPON BY CABINET AND PRESIDENT. ALTHOUGH NOT STRICTLY REQUIRED BY TUNISIAN LAW, GOT IS GIVING SOME THOUGHT TO PRESENTING COMPROMIS TO NATIONAL ASSEMBLY FOR ITS APPROVAL. ALTOGETHER, FONMIN CONTINUED, HE EXPECTED TWO YEARS WOULD ELAPSE BEFORE AN ICJ DECISION COULD BE HANDED DOWN. TO MY QUESTION WHETHER HE BELIEVED QADHAFI WOULD HONOR SUCH DECISION, CHATTY REPLIED HE CONSIDERED IT "VERY LIKELY THAT HE WOULD NOT IF IT SHOULD BE UNFAVORABLE TO LIBYA". HE WAS UNDER NO ILLUSION.

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KTKCHRRALALLETTA PRIORITY 306

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C O N F I D E N T I A L SECTION 2 OF 2 TUNIS 4145

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6. NEXT I INQUIRED WHETHER HE HAD WON OR LOST ON GOT'S INSISTENCE ON "NON-EXPLORATION" AS WELL AS "NONQH EXPLOITATION". CHATTY SAID A "SEPARATE SECRET AGREEMENT" HAD BEEN ARRANGED, FOLLOWING PERSONAL TELEPHONE EXCHANGES BETWEEN PRESIDENTS BOURGUIBA AND QADHAFI, BINDING BOTH SIDES NOT TO DRILL UNTIL DELIMITATION IS COMPLETED. I COULD BE SURE, HE SAID, THAT GOT WOULD NOT PERMIT DRILLING ON WEST SIDE OF DISPUTED ZONE. DURING BOURGUIBA-QADHAFI PHONE TALKS IT WAS ALSO AGREED THAT "J. W. BATES" MAY CONTINUE DRILLING UNTIL IT EITHER STRIKES OIL OR A DRY HOLE. IN ANY EVENT, UPON COMPLETION OF CURRENT DRILLING HOLE WILL BE CAPPED AND NO FURTHER DRILLING PERMITTED. AT THIS POINT I REPORTED, PURSUANT TO QUESTION HE HAD ASKED ME IN OUR LAST TALK, THAT READING AND BATES BELIEVED DRILLING WOULD REQUIRE TOTAL OF AT LEAST SIX WEEKS. THIS SEEMED TO SURPRISE HIM BUT HE MADE NO FURTHER COMMENT, EXCEPT TO CALCULATE DATE OF "ABOUT JULY 5", AFTER SOME MENTAL ARITHMETIC.

7. I NEXT BROUGHT FONMIN UP TO DATE ON LONDON EVENTS WHICH TOOK PLACE DURING TUNIS NEGOTIATIONS. I FOUND HIM FULLY AWARE OF HABIB LETTER TO THORNTON AND LIBYAN PRESSURES ON CHARGE CARLE IN TRIPOLI, AS WELL AS LIBYAN CHARGE'S DEMARCHE TO DEPARTMENT. I ALSO TOLD HIM THAT THORNTON HAD RETURNED TO OKLAHOMA JUNE 11, AFTER BEING INFORMED BY LIBYANS THAT AGREEMENT HAD BEEN REACHED.

8. CHATTY THEN TOLD ME THAT GOT HAD GREATLY APPRECIATED US ROLE THROUGHOUT THIS CRISIS. IT HAD BEEN VERY USEFUL TO TUNISIA WHICH REALIZED WE HAD DONE OUR UTMOST, DESPITE LEGAL INHIBITIONS. PRESSURE SUSTAINED BY DEPARTMENT ON READING AND BATES WHILE TALKS WERE PURSUED IN TUNIS HAD PERMITTED GOT TO DEMONSTRATE CONTINUED BACKING BY FRIENDLY US. FONMIN HOPED I WOULD CONVEY GMT'S MOST PROFUSE GRATITUDE TO USG FOR SPLENDID SUPPORT RENDERED TUNISIA IN THIS MOST DIFFICULT CRISIS FOR MANY YEARS. HE SAID "IT IS IN TIMES LIKE THESE ONE LEARNS WHO ONE'S FRIENDS ARE."

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9. DURING DIGRESSIONS IN OUR TALK CHATTY MADE FOLLOWING COMMENTS:
SITUATION VIS-A-VIS LIBYA HAS NOW BEEN DEFUSED FOR A WHILE BUT
WE CAN BE CERTAIN THAT IT IS ONLY A MATTER OF MONTHS UNTIL
QADHAFI CHOOSES SOME NEW PRETEXT TO BRING FURTHER POLITICAL
PRESSURE ON TUNISIA; BASICALLY THIS ITTXX CRISIS WAS "POLITICALLY
ENGENDERED" AND ITS RESOLUTION WAS OBTAINED "ONLY WHEN IT SUITED
QADHAFI POLITICALLY"; QADHAFI'S THRUST IS STILL MAINLY TO
INVEIGLE TUNISIA INTO A POLITICAL AND ECONOMIC UNION; "THERE
ARE THOSE WITHIN THE GOVERNMENT WHO STILL WANT THAT", BUT THERE
ARE OTHERS IN THE GOVERNMENT WHO REGRET THIS NEGOTIATED SOLUTION
AND WHO PUSHED TO THE END FOR A MILITARY SOLUTION; TO OBTAIN
AGREEMENT ON FINAL TEXT SEVERAL OBSTACLES TO "UNITY" HAD TO BE
MADE; AND, UNQUESTIONABLY, WITHOUT THE PERSONAL ENGAGEMENT
OF HABIB BOURGUIBA AT SEVERAL STAGES BEGINNING JUNE 3 NO SOLUTION
WOULD HAVE BEEN POSSIBLE, BECAUSE OPINIONS WITHIN GOT WERE SO
WIDELY SPLIT.

10. FOREIGN MINISTER SAID HE LOOKED FORWARD TO A CHANGE OF PACE
TOMORROW WHEN HE LEAVES FOR A LONG-SCHEDULED VISIT TO
CZECHOSLOVAKIA. AS MY CAR LEFT HIS NARROW STREET THE IRANIAN
AMBASSADOR'S MERCEDES ROUNDED THE CORNER, EN ROUTE NO DOUBT
FOR HIS RATION OF GRATITUDE FOR GOI'S PRESSURE ON READING AND
BATES DURING LONDON MEETINGS.
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Message Attributes

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